

**SUPREME COURT MINUTES
TUESDAY, APRIL 27, 2010
SAN FRANCISCO, CALIFORNIA**

S180822 B214287 Second Appellate District, Div. 8 **DOI (ERIC) v. UNION
PACIFIC RAILROAD
COMPANY**

Petition ordered withdrawn

Pursuant to written request for appellant and petitioner to this court, the above-entitled petition for review is ordered withdrawn.

S180114 A118981 First Appellate District, Div. 4 **PEOPLE v. AFAMASAGA
(AUKUSITINO)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180204 B208717 Second Appellate District, Div. 8 **PEOPLE v. GONZALEZ
(JOSE MARIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180488 F056721 Fifth Appellate District **PEOPLE v. YOCOM
(MICHAEL ALAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180503 F056583 Fifth Appellate District **PEOPLE v. RUIZ (PAUL
MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180570 B204194 Second Appellate District, Div. 3 **PEOPLE v. SOLIS (JUAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 3, 2010.

S180571 B210399 Second Appellate District, Div. 7 **PEOPLE v. LEWIS (ROBERT LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 4, 2010.

S180579 A119620 First Appellate District, Div. 4 **PEOPLE v. JACKSON (FELIX LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180584 F056701 Fifth Appellate District **PEOPLE v. HOLLMAN (MARKEL SHAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180597 C064140 Third Appellate District **O'BRIEN (SEAN ALAN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180600 F056595 Fifth Appellate District **PEOPLE v. THOMAS, JR., (JOHN)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 3, 2010.

S180606 G040117 Fourth Appellate District, Div. 3 **PEOPLE v. SIKAT (SHEILA MARIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180622 D053402 Fourth Appellate District, Div. 1 **PEOPLE v. BAEK (TEDDY SEUNG)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180630 A119910 First Appellate District, Div. 3 **PEOPLE v. DINSMORE
(STEVE GARY)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180649 H033545 Sixth Appellate District **PEOPLE v. MALDONADO
(ROBERT MALACHI)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180650 A122108 First Appellate District, Div. 5 **PEOPLE v. MITCHELL
(PAUL)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 28, 2010.

S180663 D055497 Fourth Appellate District, Div. 1 **PEOPLE v. CRUZ (JASON
CHRISTOPHER)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 1, 2010.

S180708 E045561 Fourth Appellate District, Div. 2 **PEOPLE v. GRIFFIN
(RAYMOND)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 2, 2010.

S180712 B209736 Second Appellate District, Div. 6 **PEOPLE v. MORALES
(MIGUEL ANGEL SANCHEZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 2, 2010.

S180728 B208663 Second Appellate District, Div. 7 **PEOPLE v. MIXCO (JULIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 3, 2010.

S180734 A121521 First Appellate District, Div. 1 **PEOPLE v. MARES
(MANUEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 7, 2010.

S180766 B211679 Second Appellate District, Div. 6 **PEOPLE v. LEON
(GEOVANNY)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 4, 2010.

S180778 B206799 Second Appellate District, Div. 3 **PEOPLE v. NERO (BENNIE
T.)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 4, 2010.

S180781 B206483 Second Appellate District, Div. 3 **PEOPLE v. FLORES (OSCAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 4, 2010.

S180796 B222224 Second Appellate District, Div. 3 **JANDU (MANJIT SINGH) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to June 4, 2010.

S180802 B210963 Second Appellate District, Div. 7 **PEOPLE v. HEALAN
(CURTIS WALTER)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 4, 2010.

S180831 B208015 Second Appellate District, Div. 6 **PEOPLE v. TRIBBLE
(FRANCIS ANTHONY)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 4, 2010.

S180834 C058443 Third Appellate District **PEOPLE v. HER (POR YE)**
The time for granting or denying review in the above-entitled matter is hereby extended to
June 7, 2010.

S180843 F056480 Fifth Appellate District **PEOPLE v. LUJAN (EUGENE
TOFILO)**
The time for granting or denying review in the above-entitled matter is hereby extended to
June 7, 2010.

S180853 G041313 Fourth Appellate District, Div. 3 **PEOPLE v. FAULKNER
(KEVIN CARL)**
The time for granting or denying review in the above-entitled matter is hereby extended to
June 7, 2010.

S180866 D052888 Fourth Appellate District, Div. 1 **PEOPLE v. TORO (APRIL
DEL)**
The time for granting or denying review in the above-entitled matter is hereby extended to
June 8, 2010.

S180874 B209785 Second Appellate District, Div. 4 **PEOPLE v. WASHINGTON
(DERRICK)**
The time for granting or denying review in the above-entitled matter is hereby extended to
June 8, 2010.

S180888 B218616 Second Appellate District, Div. 7 **MIXCO (JULIO) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
June 4, 2010.

S180890 A123006 First Appellate District, Div. 4 **JANKEY (LES) v. LEE (SONG
KOO)**
The time for granting or denying review in the above-entitled matter is hereby extended to
June 9, 2010.

S180916 D055404 Fourth Appellate District, Div. 1 **WATSON (ANTHONY MARIO) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to June 10, 2010.

S180919 B213013 Second Appellate District, Div. 1 **PEOPLE v. GOMEZ (IRVIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 9, 2010.

S179422 E047614 Fourth Appellate District, Div. 2 **PEOPLE v. LOWERY (EDDIE JASON)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, William D. Farber is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S180445 C059021 Third Appellate District **PEOPLE v. SCHWARZ (JOHN BRUCE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, the Central California Appellate Program is hereby appointed to represent appellant on the appeal now pending in this court.

S180612 H034154 Sixth Appellate District **PEOPLE v. BARRETT (CHRISTINE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Jean Matulis is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S180696 E048848 Fourth Appellate District, Div. 2 **PEOPLE v. BOYD (CHARLES ALEXANDER)**

Counsel appointment order filed

Upon request of respondent for appointment of counsel, Patrick J. Hennessey, Jr., is hereby appointed to represent respondent on the appeal now pending in this court.

S181896 H028956 Sixth Appellate District**PEOPLE v. TIANO (ARMAND JOSEPH)**

Order filed

The application of appellant, Mathhew Bradley Kellner, for permission to file an oversized petition for review is granted.

S181337**ROJAS (ANGEL) v.
WORKERS'
COMPENSATION APPEALS
BOARD (CHARANJIT
BATTH FARMS)**

Transferred to Court of Appeal, Fourth Appellate District, Division One

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One.

S181420**RIOS (GENARO G.) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division Three

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three.

S180380**BAADE ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID ROBERT BAADE, State Bar Number 46509, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. DAVID ROBERT BAADE is suspended from the practice of law for the first 90 days of probation;
2. DAVID ROBERT BAADE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 17, 2009; and
3. At the expiration of the period of probation, if DAVID ROBERT BAADE has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID ROBERT BAADE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

DAVID ROBERT BAADE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days,

respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2011 and 2012. If DAVID ROBERT BAADE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S180383**BIEDERMAN ON
DISCIPLINE**

Recommended discipline imposed

The court orders that MARC ALAN BIEDERMAN, State Bar Number 68118, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. MARC ALAN BIEDERMAN is suspended from the practice of law for the first 75 days of probation;
2. MARC ALAN BIEDERMAN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on December 23, 2009; and
3. At the expiration of the period of probation, if MARC ALAN BIEDERMAN has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARC ALAN BIEDERMAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S180385**ELDRIDGE ON DISCIPLINE**

Recommended discipline imposed

The court orders that DEBORAH ANN ELDRIDGE, State Bar Number 197963, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and she is placed on probation for five years subject to the following conditions:

1. DEBORAH ANN ELDRIDGE is suspended from the practice of law for a minimum of the first two years of probation, and she will remain suspended until the following requirements are satisfied:
 - i. She must provide proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law before her suspension will be terminated.

(Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

2. DEBORAH ANN ELDRIDGE must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 9, 2009.
3. At the expiration of the period of probation, if DEBORAH ANN ELDRIDGE has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

DEBORAH ANN ELDRIDGE must also take and pass the Multistate Professional Responsibility Examination during the period of her suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

DEBORAH ANN ELDRIDGE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S180391

HODGES ON DISCIPLINE

Recommended discipline imposed

The court orders that JAMES MARSHALL HODGES, State Bar Number 53758, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JAMES MARSHALL HODGES is suspended from the practice of law for the first 30 days of probation;
2. JAMES MARSHALL HODGES must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 22, 2009; and
3. At the expiration of the period of probation, if JAMES MARSHALL HODGES has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

JAMES MARSHALL HODGES must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If JAMES MARSHALL HODGES fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining

balance is due and payable immediately.

S180416**RIFKIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that HOWARD LAWRENCE RIFKIN, State Bar Number 82671, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, subject to the following conditions:

1. HOWARD LAWRENCE RIFKIN is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirements are satisfied:
 - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar. HOWARD LAWRENCE RIFKIN must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension; and
 - ii. HOWARD LAWRENCE RIFKIN must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

HOWARD LAWRENCE RIFKIN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S180417**ST. JOHN ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN ST. JOHN, State Bar Number 54642, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. JOHN ST. JOHN is suspended from the practice of law for the first 30 days of probation;
2. JOHN ST. JOHN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on October 27, 2009.
3. At the expiration of the period of probation, if JOHN ST. JOHN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN ST. JOHN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S180419**JANSEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that GERALD J. JANSEN, State Bar Number 182405, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. GERALD J. JANSEN is suspended from the practice of law for the first 90 days of probation;
2. GERALD J. JANSEN must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed on December 21, 2009; and
3. At the expiration of the period of probation, if GERALD J. JANSEN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

GERALD J. JANSEN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

GERALD J. JANSEN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S180421**MENDIVEL ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOE MENDIVEL, State Bar Number 215061, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JOE MENDIVEL is suspended from the practice of law for the first 90 days of probation;
2. JOE MENDIVEL must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed on December 21, 2009; and
3. At the expiration of the period of probation, if JOE MENDIVEL has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

JOE MENDIVEL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage

to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

JOE MENDIVEL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.